

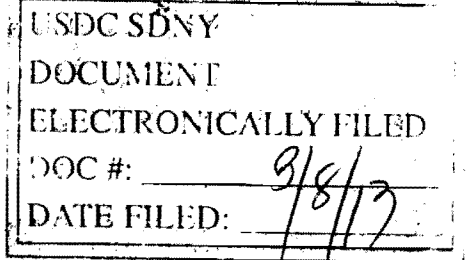
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

BYRON ESTRADA, ET AL.,

Defendant.



S9 12 Cr. 859 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Government (see attached letter) requests an exclusion of time from Speedy Trial Act calculations until May 3, 2013. Counsel for the defendants consent to the exclusion of time from Speedy Trial Act calculations until May 3, 2013. It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. See 18 U.S.C. § 3161 (h) (7) (B). The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. § 3161 (h) (7) (A).

SO ORDERED:

Dated: New York, New York
8 March 2013

A handwritten signature in black ink, appearing to be "Victor Marrero".

Victor Marrero
U.S.D.J.

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 7, 2013

BY FACSIMILE

Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Byron Estrada, et al.
S9 12 Cr. 859 (VM)

Dear Judge Marrero:

The Government writes to provide the Court with a status update regarding the S9 Superseding Indictment (the "S9 Indictment") in the above-captioned case, which was unsealed on March 6, 2013. The S9 Indictment is identical to the S8 Superseding Indictment (the "S8 Indictment"), aside from the addition of six defendants – Jean Tyrone Carvajal-Hurtado, Juan Diego Arroyave-Percz, Juan Fernando Torres-Palacio, Juan Mauricio Zapata-Flores, Nelson De Jesus Arias Valencia, and Jose Luis Avendano-Osoriom – to Counts One and Two, and the addition of several overt acts in both Counts One and Two relating to the six new defendants. Five of the six new defendants have been arrested in Colombia and Spain; one defendant remains at large. None of the six new defendants have yet been extradited to the United States.

The Government has contacted counsel for the 14 defendants previously charged in the S8 Indictment. Each of the 14 defendants, through counsel, has indicated that he/she wishes to conduct the arraignment at the May 3, 2013 conference, and that he/she consents to the exclusion of time on the S9 Indictment through that date. Although the Court has already excluded Speedy Trial time on the S8 Indictment through May 3, 2013, in an abundance of caution, the Government respectfully requests that the Court further exclude time through that date on the S9 Indictment.

Honorable Victor Marrero

March 7, 2013

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Please do not hesitate to contact me should you have any questions.

Respectfully submitted,

PREET BHARARA
United States Attorney

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